

# **EXHIBIT A**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF VIRGINIA  
3                   RICHMOND DIVISION

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6     ePLUS, INC., : : Civil Action No.  
7     vs.           : : 3:09CV620  
8     LAWSON SOFTWARE, INC. : : May 18, 2010  
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12                   COMPLETE TRANSCRIPT OF THE CONFERENCE CALL  
13                   BEFORE THE HONORABLE ROBERT E. PAYNE  
14                   UNITED STATES DISTRICT JUDGE

15  
16 APPEARANCES:

17     Henry I. Willett, III, Esquire  
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22     and  
23     Scott L. Robertson, Esquire  
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      Washington, D.C. 20001  
      Counsel for the plaintiff

24                   Peppy Strahan, RPR  
25                   Official Court Reporter  
                 United States District Court

09:56PM 1 MR. CARR: -- to play cute, but --  
09:56PM 2 THE COURT: Be quiet. You can't talk but one at a  
09:58PM 3 time.  
09:58PM 4 MR. CARR: I apologize.  
10:00PM 5 THE COURT: You file your -- what is today? Tuesday?  
10:04PM 6 MR. CARR: Correct.  
10:04PM 7 THE COURT: You file your response to this tomorrow,  
10:06PM 8 and you file your reply to it the day after that. And you  
10:12PM 9 mark --  
10:12PM 10 MR. CARR: That's going to be very difficult for us  
10:14PM 11 given the deposition schedule, but we'll meet that schedule.  
10:18PM 12 THE COURT: Well, I'm sure that you all have got  
10:20PM 13 plenty of people that can do it, and it's not that hard to do,  
10:24PM 14 and you've to highlight it.  
10:26PM 15 MR. CARR: Well, Your Honor, I've got to point out  
10:28PM 16 that ePlus took ten days to file this motion, and we're getting  
10:32PM 17 three to file our response.  
10:32PM 18 THE COURT: You know, I don't care.  
10:34PM 19 MR. CARR: I understand that.  
10:36PM 20 THE COURT: What I care about is having you obey the  
10:38PM 21 orders to begin with.  
10:40PM 22 MR. CARR: Your Honor, I've just got to say, there  
10:42PM 23 are two sides to this story.  
10:44PM 24 THE COURT: There are to every one, and that's why I  
10:48PM 25 want to see, but the easy way to do it is that you show me the

10:52PM 1 new stuff highlighted, Mr. Robertson -- if it's in there, I  
10:54PM 2 can't tell it -- so I can go right to it and see. I don't want  
10:58PM 3 a bunch of verbiage around it. I want to be able to see  
11:02PM 4 cleanly and clearly, this is new.

11:06PM 5 MR. ROBERTSON: I will do that, Your Honor.

11:08PM 6 THE COURT: And then you do yours in the contention  
11:10PM 7 saying this is where Seamus's report, page seven, that he  
11:24PM 8 identifies as not in the report actually is -- or not in the  
11:28PM 9 contentions is in the contentions, and if it's not there, it  
11:30PM 10 isn't coming in.

11:32PM 11 And just keep yourself some separate time records and  
11:38PM 12 attorney's fees records for all this, and we'll deal with all  
11:42PM 13 this later. But I'm -- and I don't believe, what I don't  
11:46PM 14 believe is what I'm reading in these papers that experts are  
11:50PM 15 talking about hundreds of pages of documents and claim charts,  
11:54PM 16 and I'm going to tell you, we're not going to have it. I don't  
11:58PM 17 know what they're doing.

12:00PM 18 I'll wait and reserve judgment on what it is your  
12:04PM 19 experts think they're doing, but you run the risk that all of  
12:08PM 20 this will be out of the case if you are larding stuff up,  
12:12PM 21 either side, both sides, and putting in the things that make  
12:18PM 22 this case ununderstandable and un-triable to a jury and confuse  
12:22PM 23 the jury.

12:24PM 24 The remedy I'm going to take is to bounce your  
12:28PM 25 expert's testimony and get rid of it.

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

/s/  
P. E. Peterson, RPR

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Date